

UNITED STATES DISTRICT COURT

FOR THE
STATE AND DISTRICT OF MONTANA.

BILLINGS DIVISION

Anthony Marcos Chadwell
Plaintiff

✓

OFC; STULL
Defendant.

MAY 17 2022

Clerk, U.S. Courts
District of Montana
Billings Division

VERIFIED COMPLAINT

for

8th and 14th Amendment

VIOLATION.

I. PARTIES

A. PLAINTIFF

¶ 1. Anthony Marcos Chadwell, at the time was confined at the Yellowstone County Detention Facility; 3165 King Ave E Billings, MT 59101.

B. DEFENDANTS

¶ 2. OFC; STULL, At the time relevant was an employed Detention officer at the Yellowstone County Detention Facility; 3165 King Ave E Billings, MT 59101.

C. Color of Law

¶ 3. The Yellowstone County Detention Facility houses men and woman accused and or convicted of crimes. The county operates the facility, and Yellowstone County is a political subdivision of the State of Montana. The county employs people (1)

to work at the facility through the Sheriff's office. Stull, was employed at the time by the county at the time of Chadwell's claim and was working under the color of state law. Stull is no longer employed by the county.

II. INTRODUCTION

¶4. Comes now the plaintiff, Anthony Marcos Chadwell An IFP-prisoner proceeding pro se. and brings this suit under 42 U.S.C. §1983. Violation of defendants 8th and 14th amendment of the U.S. Constitution. Chadwell seeks monetary damages.

III. JURISDICTION

¶5. Jurisdiction of this court is invoked pursuant to 28 U.S.C § 1331 in that this is A Civil action arising under the Constitution of the United States.

¶6. Jurisdiction of this court is invoked pursuant to 28 U.S.C § 1367 in that there is A State tort and state law claims arising under the federal claims from the same set of facts.

IV. FACTUAL STATEMENT

17. on or about the month of ? day of ? Year of 2021, ^① Chadwell was a Federal detainee awaiting trial housed at the Yellowstone County detention facility. Chadwell was housed in "CLASS B" that OFC; Stull was assigned to work that day. ^② Stull came into the unit very aggressively demanding Chadwell to lock down, Chadwell was confused on why he needed to lock down. ^③ Chadwell asked to speak to a Sargent. ^④ Stull stomped out of the unit only to return and attempted to grab Chadwell's arms. ^⑤ Chadwell still confused pulled back non aggressively attempting to speak so he may fully understand why he was being forced to lock down. ^⑥ Stull embarrassed by not being able to grab my arms, Stead me against the wall then slammed into cement stairs. ^⑦ Other officers attempting to place Chadwell into handcuffs were unable to free Chadwell's pinned arm. ^⑧ OFC; Stull standing above Chadwell punched Chadwell with a closed fist on the top of the head causing swelling and bruising. ^⑨ Chadwell was denied medical attention. ^⑩ Chadwell also pursued a Criminal investigation with no resolution.

⑪ Now Chadwell wishes to recover damages.

V. CLAIMS FOR RELIEF

- A.) Stull striking Chadwell in the head, once down and not resisting was excessive use of force in violation of the 8th amendment and Chadwell's right to be free from cruel and unusual punishment.
- B.) Stull striking Chadwell in the head causing injury constituted assault and battery.
- C.) Stull taking Chadwell to stairs, striking him and exerting power over him when Chadwell was not being aggressive or threatening, was an abuse of power, and mistreating a prisoner in violation of the 8th amendment of the U.S. Constitution and MCA 45-5-204

VI. INJURIES


- 1.) Chadwell suffered a full force blow to the head with a closed fist that caused swelling, head aches, and dizziness. Also resulted in emotional distress/duress such as terror, fear, and mental anguish causing paranoia and PTSD

VII. RELIEF REQUESTED

- 1.) Chadwell is seeking \$100,000.00 for PTSD therapy and treatment.
- 2.) Chadwell is seeking \$50,000.00 in punitive damages for the civil rights violation
- 3) Chadwell is requesting declaratory judgement against the defendant still that his excessive use of force was unconstitutional and violated Chadwell's 8th amendment Rights.
4. Grant Plaintiff such other relief as it may appear plaintiff is entitled to.

RESPECTFULLY SUBMITTED

DATED this 13th day of MAY 2022

1s/ 
Anthony M. Chadwell
Pro se Plaintiff

VIII. CERTIFICATION AND CLOSING.

Pursuant to rule 11 of the federal rules of Civil Procedure, I, Anthony Marcos Chadwell, certify that to the best of my knowledge, information or belief, formed after an inquiry reasonable under the circumstances that, this verified and affirmed complaint; (1.) is not being presented for any purpose improperly, such as to harass cause unnecessary delay, or needlessly increase the cost of litigation (2) the claims, defenses, and other legal contentions are warranted by existing law or by a non frivolous argument for extending, modifying or reversing existing law or establish new law (3) the factual contentions have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the denials of factual contentions are warranted on the evidence or; is specifically so identified, are reasonably based on belief or a lack of information.

DATED this 13th day of May 2022

/s/ Anthony Chadwell.

Anthony Marcos Chadwell

PROSE plaintiff

IX VERIFICATION OF COMPLAINT

State of Montana)
 : SS
County of Yellowstone)

I, Anthony Marcos Chadwell, have read the foregoing Verified Complaint for civil rights violations' and know the contents thereof, and the same is true of my own knowledge, information and belief.

Dated this 13th day of May 2022

/s/ Anthony Chadwell.

Anthony M. Chadwell
PRO-SE Plaintiff